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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,996	03/30/2001	Kenji Nahata	32014-170796	4157

26694 7590 03/28/2005

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EXAMINER
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BALI, VIKKRAM

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/820,996

Applicant(s)

NAHATA, KENJI

Examiner

Vikkram Bali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 5, 7 and 8 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

In response to the amendment filled on 10/13/2004, all the amendments have been entered and the action follows:

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Grage et al (US 5005083).

With respect to claim 1, Grage discloses the multiple view angles camera that includes a single image camera for outputting an image with a narrow view angle and a wide view angle (see col. 4, lines 36-37, a dual channel camera lines 41-43 having wide field of view and narrow field of view) as claimed.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grage et al (US 5005083).

With respect to claim 2, Grage disclose the invention substantially as disclose and as describe above in claim 1. Furthermore, Grage discloses the wide view angle lens is provided in front of the narrow view, (see col. 4, lines 54-57, it states that the axis of the narrow field lies with in the wide field) as claimed. However, he fails to explicitly disclose the cylinder lens for projecting an image of wide view on the wide angle image region on the image sensor by way of the lens and narrow view angle, as claimed. But, it is well known in the field of the photography to have a cylindrical lens for the use of zoom, i.e. that camera has a cylindrical lens to be able to zoom in "narrow view" or zoom out "wide view", in order to obtain the image. Therefore, it would have been obvious to one ordinary skilled in the art at the time of invention to simply use the well known feature of the cylindrical lens to obtain the zoom in or out feature thereby obtaining the wide or the narrow view images.

5. Claims 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Grage et al (US 5005083) in view of Tatsumi et al (US 6476862).

With respect to claim 3, Grage disclose a multiple view camera projecting an image of wide view and narrow view angles photography on one image sensor at the same time

(see col. 4, lines 61-66, states that the full image information of both i.e. WFOV and NFOV, is simultaneously available), a photograph direction control for defining the photograph direction to photograph specific portion of a specific subject with the narrow view based on the image of the subject with wide view, (see figure 2, the image of WFOV and then the NFOV is the image of the marker shown in the WFOV image), as claimed. However, he fails to disclose the pan-tilt mechanism, as claimed. Tatsumi teaches a teleconferencing system there a camera is use that does has a feature for the zoom and does has the pan-tilt mechanism, (see figure 6-8, and col. 8 lines 17-30 for description) as claimed.

It would have been obvious to one ordinary skilled in the art at the time of invention to simply combine the two references as they are analogous because they are from the same class of television system for image signal processing. The camera use in the Grage does has the optical axis control (see col. 4, lines 54-55) but does not disclose the pan-tilt mechanism, the Tatsumi teaches the axis control by the pan-tilt control, one simply can use the mechanism of Tatsumi in to the Grage's system in order to attain the optical axis as needed to get the image using the WFOV or NFOV.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grage et al (US 5005083) in view of Tatsumi et al (US 6476862) and in further view of Matsushita (US 5901238).

With respect to claim 9, Grage disclose a multiple view camera projecting an image of wide view and narrow view angles photography on one image sensor at the same time

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(see col. 4, lines 61-66, states that the full image information of both i.e. WFOV and NFOV, is simultaneously available), a photograph direction control for defining the photograph direction to photograph specific portion of a specific subject with the narrow view based on the image of the subject with wide view, (see figure 2, the image of WFOV and then the NFOV is the image of the marker shown in the WFOV image), as claimed. However, he fails to disclose the pan-tilt mechanism, as claimed. Tatsumi teaches a teleconferencing system there a camera is use that does has a feature for the zoom and does has the pan-tilt mechanism, (see figure 6-8, and col. 8 lines 17-30 for description) as claimed.

It would have been obvious to one ordinary skilled in the art at the time of invention to simply combine the two references as they are analogous because they are from the same class of television system for image signal processing. The camera use in the Grage does has the optical axis control (see col. 4, lines 54-55) but does not disclose the pan-tilt mechanism, the Tatsumi teaches the axis control by the pan-tilt control, one simply can use the mechanism of Tatsumi in to the Grage's system in order to attain the optical axis as needed to get the image using the WFOV or NFOV.

Grage and Tatsumi disclose the invention substantially as disclose and as describe above. However, they fail to disclose estimating the eye position of a subject, controlling the photographing direction and photographing using the narrow view and defining an iris region and identifying the subject as the person himself based on the iris image (see col. 3, lines 55-65, and figure 5 step S4 for defining and S7 for identifying the person), as claimed.

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It would have been obvious to one ordinary skilled in the art at the time of invention to simply combine the references, because the Grage and Tatsumi references does suggests that the apparatus or the system that uses a dual field of view in order to attain the image of the specific portion of the subject. The camera of the Matsushita does suggest the functionality of the zoom up in order to attain the specific portion i.e. the eye, image of the person. The camera system as disclose by the Grage and Tatsumi can be use in place of the camera 13a of the Matsushita's system in order to attain the wide and narrow view images of the person to be identify.

***Allowable Subject Matter***

7. Claims 4-5 and 7-8 are allowed.

8. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1-3 and 9 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 703.305.4510. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703.308.6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Vikram Bali', is written over the printed name.

Vikram Bali  
Primary Examiner  
Art Unit 2623

vb  
March 21, 2005